

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
THURSDAY, AUGUST 16, 2001
COUNTY-CITY BUILDING, ROOM 113
8:15 A.M.**

Commissioners Present: Kathy Campbell, Chair
Bob Workman, Vice Chair
Bernie Heier
Ray Stevens

Commissioners Absent: Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk

The Staff Meeting was convened at 8:15 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, AUGUST 2, 2001; TUESDAY, AUGUST 7, 2001 (10 A.M. AND 3 P.M.) AND THURSDAY, AUGUST 9, 2001

MOTION: Stevens moved and Workman seconded approval of the Staff Meeting minutes dated August 2, 2001 and August 7, 2001 (10 a.m. and 3 p.m.) and August 9th, 2001. Stevens, Workman, Heier and Campbell voted aye. Motion carried.

2 ADDITIONS TO AGENDA
a. Alltel Telephone Directory Listing
b. Free Lunch At Menard's
c. Elected Officials Salaries

MOTION: Heier moved and Workman seconded approval of the additions to the agenda. Heier, Workman, Stevens and Campbell voted aye. Motion carried.

Campbell thanked Workman for a great job at conducting the joint public hearing regarding the beltway.

a. Alltel Telephone Directory Listing

Kerry Eagan, Chief Administrative Officer, explained that there is a listing in the white pages of the telephone directory referring individuals to the blue pages for telephone numbers and location. He added that it costs the County \$19.95 per month and asked the Board if they would like to continue the listing.

MOTION: Heier moved and Stevens seconded removal of the County government listing from the white pages. Heier, Stevens, Workman and Campbell voted aye. Motion carried.

b. Free Lunch At Menard's

Workman stated there is a free lunch at Menard's on Thursday, August 16 between 11:30 a.m. and 1:30 p.m. He explained the manager of Menard's is very active in local government and they would appreciate attendance of any of the County Commissioners.

c. Elected Officials Salaries

Campbell explained that the County Board is responsible for setting the salaries of elected officials every four years. She stated the Nebraska Association of County Officials (NACO) conducts a salary survey which is presented at the convention held in Omaha. Campbell stated the survey reviews all elected position and that Douglas and Lancaster Counties are reviewed separately.

Campbell stated previously the County Board has either set salaries themselves, used several Commissioners along with a community group or used a total community group. She stated Jan Gauger, former County Commissioner, headed the total community group which consisted of four other individuals, three of which had personnel experience. The fifth individual was a representative from the Bar Association. Upon completion of the community group's report, the County Board made adjustments and then adopted the salaries.

Campbell stated of the three systems she has been involved with, she favors the total community group.

3 COLLEGE SAVING PLAN - Georgia Glass, Personnel Director; Bill Kostner, City Risk Manager

Bill Kostner, City Risk Manager, disseminated documentation titled *College Savings Plan of Nebraska Fact Sheet* (Exhibit 1), a chart showing pricing trends (Exhibit 2) and a portfolio (Exhibit 3). Highlighted were the following:

- Covers expenses at public and private colleges nationwide
- Receive up to a \$1,000 Nebraska State Income Tax Deduction
- Anyone may open an account
- No State or Federal taxes on withdrawals for college expenses
- Ten Investment Options

In response to a question asked by Stevens, Roger Madden, representative of the College Savings Plan of Nebraska, stated the money can be left in the account indefinitely. He explained that each account has an owner and a beneficiary, which can be changed at any time. Madden stated the money can be used for non-qualified expenses, however, it would be taxable at the owners rate and that there is also a ten percent program penalty on the growth.

Madden also stated that the College Savings Plan of Nebraska has seven different grants and ten asset allocations.

Stevens asked if a person could transfer money from one fund to another.

Madden responded that a fund may be closed and a new one opened without penalty.

Workman inquired about fees.

Madden stated there are two fees applied to each account. The first fee is an asset allocation and administration fee which is charged against the assets of each account and the second fee is an annual account fee in the amount of \$24. He added that each portfolio also bears a pro rata share of the fees and expenses.

MOTION: Workman moved and Stevens seconded to direct staff to place the College Savings Plan of Nebraska issue on a Tuesday agenda, in accordance with the County's Payroll Deduction Policy. Workman, Stevens, Heier and Campbell voted aye. Motion carried.

4 CABELA'S AGREEMENT - Troy Gagner, Economic Development Coordinator; Dave Johnson, Deputy County Attorney

Troy Gagner, Economic Development Coordinator, distributed documentation titled *Cabela's Job Creation/Retention Activities through May 31, 2001* (Exhibit 4) and explained that the County has the job retention portion of the agreement. He stated the City's agreement has been signed by the Mayor.

Eagan suggested that Gagner and Dave Johnson, Deputy County Attorney, review the County's policy regarding their economic development loan program.

Gagner indicated that he is currently working on the policy.

Also submitted into the record was documentation titled *Cabela's Job Creation/Retention - Attachment C* (Exhibit 5).

Gagner stated the agreement is scheduled to be on the agenda for Tuesday, August 28, 2001.

5 PENDING LITIGATION & PERSONNEL MATTER - Dave Johnson, Deputy County Attorney

MOTION: At 9:04 a.m. Stevens moved and Heier seconded to enter into Executive Session for the purpose of discussing pending litigation and a personnel matter. Stevens, Heier, Workman and Campbell voted aye. Motion carried.

MOTION: At 9:23 a.m. Stevens moved and Heier seconded to exit Executive Session. Stevens, Workman, Heier and Campbell voted aye. Motion carried.

6 HEATHER STAFFING - Dean Settle, Community Mental Health Center Director

Dean Settle, Community Mental Health Center Director, introduced Wendy Andorf, Program Manager at the Mental Health Center, and Mary Sullivan, Director of the Community Transition Program at the Regional Center.

Andorf gave a brief history of psychiatric/residential rehabilitation care offered at The Heather. She noted there are seven County employees and three State employees.

Sullivan distributed documentation titled *Community Transition Program at The Heather* (Exhibit 6) and *Community Transition Program at The Heather - Fact Sheet* (Exhibit 7). The following areas were highlighted:

- Number of individuals served
- Admission criteria
- Funding

Campbell asked if Mary Hepburn-O'Shea provides any staffing.

Settle stated Hepburn-O'Shea provides third shift coverage.

Dave Kroeker, Budget and Fiscal Officer, asked if there would be new money coming from the State if additional people are hired for third shift. He stated it was his understanding that it would take additional money from the County to operate it.

Settle explained when the Community Transition Program (CTP) began, all parties agreed that Mary Hepburn-O'Shea would provide third shift coverage. The regulations, Settle said, require staff to be up, awake and dressed to reduce any liability exposure and to also reduce any kind of risk to the community at large. Hepburn O'Shea does live at The Heather, however, she is not up, awake and dressed during the third shift.

Settle explained that currently the only money they see coming in is a \$34,000 overage for the Medicaid/Rehabilitation option. The remainder of the revenues are obligated.

Kroeker stated that the \$34,000 could go toward paying back the Bluecross audit.

Heier asked if the Community Transition Program costs the County money.

Settle stated there is currently no cost to the County, but the question is whether they want to respond to the requirements of having an awake third shift staff consisting of County employees. He stated three full-time County employees would cost approximately \$78,000.

Campbell suggested contracting for third shift.

Settle said he felt that was a very viable solution.

Campbell requested more information and also requested that Dave Johnson review all of the regulations and agreement(s).

Heier stated that he wanted more information regarding funding.

ADDITION TO AGENDA

d. Letter from Stephen Mossman, Attorney representing Diamond Head Ranch Golf Club, L.L.C.

MOTION: Stevens moved and Workman seconded to approve an addition to the agenda regarding a letter from Stephen Mossman, attorney representing Diamond Head Ranch Golf Club L.L.C., requesting that the public hearing for Special Permit 186 be continued to August 28, 2001. Stevens, Heier, Workman and Campbell voted aye. Motion carried.

Campbell gave a brief history regarding the previous application for a Special Permit from Diamond Head Ranch Golf Club, noting that a continuance was also requested in 1999. She stated she was concerned because the same approach is being used again.

David Johnson, Deputy County Attorney, stated he would call the attorney indicating someone should be present at the hearing on August 21, 2001 to address the concerns of the County Board.

Stevens suggested proceeding with the public hearing on August 21, 2001. If the County Board finds overwhelming and compelling reasons to continue it then they may do so at that time, however, if they don't the hearing would be closed.

7 BUDGET ADJUSTMENTS - Dave Kroeker, Budget & Fiscal Officer

Appearing were Steve Bjorkman, Certified Public Accountant for the Raymond Rural Fire District; Larry England, Chairman of the Raymond Board; Frank Mohls, Vice Chair of the Raymond Board and Dale Johnson, member of the Raymond Fire Board.

Kroeker disseminated documentation regarding the budget of the Raymond Rural Fire District (Exhibit 8). He noted that last year the fire district had \$180,000,000 of value and that it was felt they would need \$194,000,000 of value for fiscal year 2002, however, Kawasaki was annexed into the City of Lincoln and the value was decreased by \$40,000,000. Kroeker stated the value is now \$158,000,000, with a tax rate of 0.115661 after removing the debt service.

Kroeker also distributed a copy of Raymond Rural Fire District's budget to support their dollar request (Exhibit 9).

In response to a question asked by Kroeker, England stated an inheritance was given to the fire board by an individual, however, there are strict requirements as to how it is to be used.

Bjorkman stated the trust is set up as a separate legal entity and isn't included in the budget numbers. He stated the fire board does not have control of the fund; it is under the control of the trustees of the trust.

In response to a question asked by Campbell, England stated the trustees can be anyone within the district. He further stated that the fire district board are the current trustees.

Kroeker asked what the effect would be on the fire district if they reduced their budget by \$32,000.

Bjorkman stated it wouldn't cut into their operational general budget, but it would prevent them from building additional surpluses in their Sinking Fund toward future equipment purchases.

England stated there are nine pieces of equipment that the Sinking Fund serves: one ambulance, two pumper trucks, two tank trucks, three grass rigs and a carry all to move equipment and personnel.

Kroeker stated if the County Board would give the Raymond Rural Fire District the .0944 cents a special election could be held to see if voters would want to exceed their levy limit.

Kroeker added that they could finance the purchase of an ambulance by issuing bonds.

Heier recommended that the County Board not fund the requested \$32,000 for the Raymond Rural Fire District.

Kroeker disseminated documentation regarding fiscal year 2002 valuations and tax rates (Exhibit 10) and stated the projected valuation was \$12,710,721,103, however, it is now projected to be \$12,621,000,000. He stated the largest decrease, \$100,000,000, was in real estate, with \$35,000,000 being attributable to Board of Equalization reductions.

Also distributed was documentation titled *Possible Changes from the Proposed Budget for 2001-2002* (Exhibit 11).

Consensus of the County Board was to fund the following adjustments:

- General Fund (Objects 3062 and 3563)
- Sheriff (\$161,159 for Youth Safety Grant) (\$35,890 for new position for extradition)
- Juvenile Court (\$3,632)

Consensus of the County Board to deny the following adjustments:

- Possible additional revenue and expense of up to \$15,000 for filming City records
- Juvenile Probation (\$9,632)
- Juvenile Detention (\$65,100)
- Families First (\$49,381)
- Community Mental Health Center (\$126,671)

Kroeker disseminated documentation titled *Keno Fund Fiscal year 2002 Proposed Budget* (Exhibit 12).

Kroeker noted that Object 6063 (Skywalk Senior Center) should be decreased from \$100,000 to \$75,000.

Allocation of Levy

Kroeker stated that the Rural Library valuation increased which caused the Railroad Transportation Safety District to decrease to 0.0220.

Kroeker also said that a couple of individuals had telephoned requesting to speak to the County Board regarding the Agricultural Society.

Stevens stated he had voted in favor of the \$263,900 requested by the Agricultural Society last week, however, he would now be in favor of allocating a lesser amount.

Campbell stated the Agricultural Society had requested \$23,000 for the code requirements, \$122,900 for the outdoor sign and \$118,000 for fireproofing of two buildings for a total of \$263,900.

MOTION: Stevens moved and Workman seconded to reduce the request by the Agricultural Society from \$263,900 to \$150,000 and strongly suggest alternatives sources for funding the sign.

Campbell stated she felt the change should be made on Tuesday, August 21st so that it is discussed publicly.

The maker of the motion withdrew his motion.

The seconder agreed.

8 SALARIES FOR UNCLASSIFIED EMPLOYEES - Georgia Glass,
Personnel Director; John Cripe, Classification & Pay Manager

Item not heard.

9 VAN DORN WIDENING BETWEEN 112th & 120th STREETS - Don
Thomas, County Engineer

Landowners present were: Phil Mullen, Dick and Ann Hudson, Bernita Buhr, Jack and Rosemary Wagner and Dwight Ohs.

Don Thomas, County Engineer, gave a brief overview of the road widening project.

Jack Wagner, property owner, requested that Commissioner Heier declare a conflict of interest.

Thomas also explained two site maps showing the realignment of Van Dorn Street between 112th and 120th Streets.

Ann Hudson, property owner, stated she is concerned that their home is now closer to the right-of-way than the house located at 120th and Van Dorn.

Thomas explained that when the surveyors went out and originally took cross sections of the road for the preliminary survey they cross sectioned 100 feet on each side of the road and the Hudson home was not within that 100 feet from the center of the road.

Mrs. Hudson asked if all of their fence would be removed if they go down the center of the road.

Thomas responded yes.

Mrs. Hudson stated Doug Pillard, County Engineer's Department, had indicated that the whole fence may not have to be removed.

Dick Hudson, property owner, stated that it seems special consideration could be given because of its uniqueness.

Wagner stated he feels the road needs to be realigned because it's dangerous.

Mrs. Hudson asked Thomas if he had statistics regarding accidents which have occurred on the road.

Thomas responded that he could obtain the information. He added if there are low accident counts and the citizens don't want the project completed they would discontinue the work.

Dwight Ohs, property owner, asked if consideration was given to moving the house on the northeast corner of 120th and Van Dorn Streets which would allow the project to continue down the center of the road.

Thomas responded that the County has never moved houses, however, the State has.

In response to a question asked by Stevens, Thomas stated that traffic counts precipitated the project.

Wagner stated the traffic counts have greatly increased.

Bernita Buhr, property owner, stated that traffic moves at a high speed, however, her concern is the dust.

Heier noted that Bob Hayes and Larry Ruth have no objections to the middle of the road.

Mullen asked if the County Engineering Department could mark which trees would be removed.

Thomas stated yes.

Campbell stated she wants to know how the County could be held harmless regarding trees which die six months to two years after the work is completed. She also said she feels the property owners should be clear on what is to be done before a decision is made.

Mrs. Buhr stated she has no objections to the project.

Heier stated for the record that Kemper Campbell was not in attendance and that he had no objections to his trees being removed.

10 ASSESSMENT CENTER STAFFING - Gus Hitz, Lancaster County Youth Assessment Director

Gus Hitz, Lancaster County Youth Assessment Director, stated Legislative Bill 640 took care of the budget shortfall expected during the first year of operation and will also fund any planning/staffing costs for the Assessment Center.

(Workman exited the meeting at 12:45 p.m.)

11 ACTION ITEMS

a. Agenda Items for Common

Campbell suggested holding a work session regarding the Comprehensive Plan on September 18, 2001 from 9 a.m. to 11 a.m.

Eagan suggested placing the Regional Role Public Open Space Agreement for discussion on a Commons Agenda.

b. Investment of Lancaster Manor Renewal & Replacement Fund

Kroeker distributed documentation titled *Renewal and Replacement Investments* (Exhibit 13) and gave a brief overview. He stated there is currently \$1,691,184 in the money market with a yield of 3.83 percent. Fixed income, he said, is invested in treasury notes with a yield of 5.43 percent. Kroeker recommended that \$500,000 be invested at the Home Loan Bank with a yield of 4.27 percent and to also invest \$500,000 at the Farm Credit Bank with a yield of 4 percent.

MOTION: Heier moved and Stevens seconded to approve the recommendation of the Budget and Fiscal Officer. Stevens, Heier and Campbell voted aye. Motion carried.

c. Microcomputer Request C#2001-230 for \$723.22 from the Microcomputer Fund for Used PC, Microsoft Office XP Pro License, Etc., for County Court

MOTION: Stevens moved and Heier seconded approval. Stevens, Heier and Campbell voted aye. Motion carried.

12 CONSENT ITEMS

- a. Authorize Kerry Eagan to sign two proxies for Nationwide
- b. Microcomputer Request C#2001-236 for \$267.36 from the Microcomputer Fund for a 17 inch monitor for District Court

MOTION: Heier moved and Stevens seconded approval of the Consent Items. Heier, Stevens and Campbell voted aye. Motion carried.

13 ADMINISTRATIVE OFFICER REPORT

a. Palm Pilot Memo

It was the consensus of the County Board to add the following language, "Previously, the County has funded Palm Pilots for employees doing remote data entry." after "While the Board believes this technology has great promise for increasing the efficiency of County operations, the Board is concerned about the lack of criteria and guidelines for determining whether Palm Pilots should be purchased with County money."

b. Letter from Michael Mayfield regarding notification of valuation increase

It was the consensus of the County Board to refer the letter to Mike Thew, Chief Deputy County Attorney.

c. Review of property valuation protest hearing process

The County Board requested that a picture of every parcel be included in the property valuation protest process next year.

d. Proposed street vacation at 91st and Highway 2

Johnson gave a brief explanation regarding a letter contained in the Commissioners packet (Page 40) about a petition to vacate 91st Street between Pine Lake Road and Highway 2, noting that the vacation would be within the three-mile jurisdiction and would need both County and City approval. He stated Don Thomas, County Engineer, requested a legal opinion asking whether the City can swap the County's right-of-way so they can negotiate for the right-of-way they need. Johnson's recommendation was to proceed with the vacation using the City's application, which does not meet County requirements, but to include language with the request noting that the County Board feels it is in the best interest of the public to begin vacation proceedings.

14 DISCUSSION OF BOARD MEMBER MEETINGS

a. Parks & Recreation Advisory Board - Campbell

No report given.

b. Public Building Commission - Campbell, Hudkins

Campbell reported that discussion took place on the following:

- Multi-level parking review
- Holding a work session regarding type of parking lot to be built on Block 101
- Holding a joint meeting with the Omaha Public Building Commission
- Space needs
- Purchase of dump truck off of a State bid for sanding parking lot(s)
- Chairs in Conference Room 113

c. Board of Health - Hudkins

No report given.

15 ADJOURNMENT

MOTION: Stevens moved and Heier seconded adjournment of the Staff Meeting at 1:55 p.m. Heier, Stevens and Campbell voted aye. Motion carried.

Bruce Medcalf
County Clerk